

Application No.: 10/563,824  
Amendment Dated: March 21, 2007  
Reply to Office Action of: December 29, 2006

MAT-8792US

**Remarks/Arguments:**

Applicants' disclosure is directed to a portable telephone capable of automatically dialing back a phone number associated with an incoming phone call. In one embodiment, the incoming call is terminated and the phone stores the incoming phone number. Pursuant to that embodiment, if, after the incoming call is terminated, the casing of the portable telephone is opened and the incoming phone number matches an auto-dial phone number stored in the portable telephone, the portable telephone automatically dials the incoming phone number.

Claims 1 and 4 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Opela et al. (U.S. Patent No. 7,039,443) in view of Hama et al. (U.S. Patent No. 6,944,481). Claims 2-3 and 5 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Opela in view of Hama and further in view of Morota et al. (U.S. Pub. No. 2003/0162530). It is respectfully submitted, however, that the claims are patentable over the art of record for the reasons set forth below.

Opela is directed to a portable telephone capable of performing an automatic dial function. The automatic dial function requires a user to enter information about a telephone to be dialed. The portable telephone dials the phone number corresponding to the entered information when it detects that the phone's casing has been opened.

Hama is directed to a portable telephone capable of displaying calling party information on one or both of the telephone's multiple displays. The calling party information may be information already stored in the phone associated with a calling party's telephone number.

Morota is directed to a telephone capable of restricting outgoing phone calls. The telephone relevantly includes a number checking unit, an origination-restricted number storing unit and a registered number storing unit. Using the phone, when a user inputs a phone number to be dialed, the number checking unit checks the input phone number against all entries in the origination-restricted number storing unit and the registered number storing unit. If the dialed number matches an entry stored in the registered number storing unit, the call is placed like a normal phone call. If, however, the number matches an entry stored in the origination-restricted number storing unit, the phone call is not placed.

Applicants' invention, as recited by claim 1, includes a feature which is neither disclosed nor suggested by the art of record, namely:

... an automatic dialing part for automatically dialing one of the at least one incoming phone number when the open/close detector detects that the portable telephone has been opened after the incoming call is terminated, and when the phone number comparison part confirms that the one of the incoming phone number in the memory part is identical to the phone number to be automatically dialed.

This means that after an incoming call is terminated, if the casing of the phone is opened and the phone confirms that the incoming phone number matches a phone number stored in the phone, the phone automatically dials the incoming phone number. This feature is found in the originally filed application at page 18, lines 18-22, page 19, lines 7-11 and page 21, lines 5-23. No new matter has been added.

With regard to Opela, Fig. 6 shows the steps for carrying out the automatic dial function. As shown, the function requires a user to input a phone number for

the party the user wishes to call (step 603). Then, if the telephone casing is opened, the phone automatically dials the input phone number (steps 605 and 607). Thus, Opela is only operable to automatically dial phone numbers entered by the user.

With regard to Hama, Hama discloses a telephone capable of storing and displaying a list of incoming calls to the telephone, including information associated with each incoming call. One such piece of information may be a telephone number. Another such piece of information may be the caller's name, which may be obtained by comparing the incoming telephone number with a list of phone numbers and names stored in the phone. If the caller's name is obtainable from the list, it may be displayed with, for example, missed call information displayed on one of the telephone's displays. (See column 10, lines 31-67). Thus, while Hama maintains a calling party history and is capable of comparing incoming phone numbers with a list of numbers and names stored in the phone, Hama does not disclose automatically dialing a calling party phone number if the phone numbers match, nor does Hama disclose automatically dialing a calling party phone number after the incoming call is terminated and when the phone is opened.

With regard to Morota, Morota discloses checking a phone number input by a user against two lists of phone numbers. If the phone number matches a phone number on a first list, the phone number places the call as dialed. If the phone number matches a phone number on the second list, the phone terminates the call. In this way, Morota does not disclose an auto-dial function. Instead, Morota's telephone operates to terminate a call that has already been placed by the user if the phone number is on a list of phone numbers stored in the phone. Morota does not disclose automatically dialing a calling party phone number if the incoming phone

number matches a phone number to be automatically dialed, nor does Morota disclose automatically dialing an incoming phone number after the incoming call is terminated and when the phone is opened.

This is different because Applicants' telephone, as claimed in amended claim 1, includes a part for automatically dialing the phone number associated with an incoming call. In this way, Applicants' telephone automatically dials the phone number associated with the incoming call after the incoming call is terminated. Neither Opela, nor Hama, nor Morota, nor their combination, disclose this feature of Applicants' amended claim 1. Similarly, neither Opela, nor Hama, nor Morota, nor their combination, disclose or suggest automatically dialing an incoming phone number when the incoming call has been terminated, the casing is subsequently opened and the incoming phone number matches an auto-dial phone number stored in the phone.

It is because Applicants include the features of an automatic dialing part for automatically dialing one of the at least one incoming phone number when the open/close detector detects that the portable telephone has been opened after the incoming call is terminated, and when the phone number comparison part confirms that the one of the incoming phone number in the memory part is identical to the phone number to be automatically dialed, that the following advantages are achieved. Applicants' telephone permits a user to dial a caller back when the user misses the call simply by opening the phone. In addition, the phone is capable of checking the phone number, before automatically dialing the phone number, to ensure that it is a phone number the user would want to call. In this way, the phone provides ease of use as well as added protection to ensure that a user does not

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accidentally dial back an undesired caller such as, for example, with respect to an unsolicited sales call.

Accordingly, for the reasons set forth above, claim 1 is patentable over the art of record.

Claims 6-7 are newly added and are supported by claim 1. Claim 8 is newly added and is supported by the specification at page 30, lines 9-18. No new matter has been added.

In view of the amendments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



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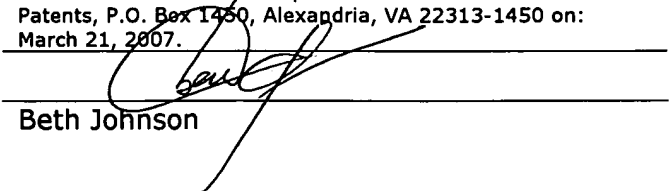
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Dated: March 21, 2007

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